

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**IN RE DENTAL IMAGING TECHNOLOGIES
CORPORATION,**
Petitioner.

Miscellaneous Docket No. 138

On Petition for Writ of Mandamus to the United
States District Court for the District of Delaware in case
no. 10-CV-0288, Chief Judge Gregory M. Sleet.

ON PETITION

O R D E R

Dental Imaging Technologies Corporation (Dental Imaging) submits a petition for a writ of mandamus to direct the United States District Court for the District of Delaware to vacate its September 6, 2012 order denying permission to move for summary judgment, and permit Dental Imaging to file a motion for summary judgment to be ruled on in advance of trial.

Upon consideration thereof,

IT IS ORDERED THAT:

IN RE DENTAL IMAGING TECHNOLOGIES

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Sirona Dental Systems, Inc. and California Institute of Technology are directed to respond no later than October 12, 2012.

FOR THE COURT

SEP 25 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Darryl Michael Woo, Esq.
John G. Day, Esq.
Clerk, United States District Court for the District of
Delaware

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 25 2012

JAN HORBALY
CLERK